

AMENDMENT NO. 1 – RFA DTFH61-06-RA-00010

Amendment No. 1 Issue Date May 4, 2006

RFA Issue Date April 12, 2006

The purpose of this amendment is to revise the following:

1) **SECTION V – APPLICATION REVIEW INFORMATION**, paragraph A. EVALUATION CRITERIA, **Cost**, add the following after the last sentence:

Under the cost evaluation factor, FHWA will consider the extent to which proposed cost share exceeds the minimum required cost share.

2) **SECTION V – APPLICATION REVIEW INFORMATION**, paragraph B. REVIEW AND SELECTION PROCESS

The following change is made to correct the reference to “four” evaluation factors with the corrected reference to “three” evaluation factors.

Delete:

The Government will accept the offer(s) that is (are) considered the most advantageous to the Government taking into account the best use of available funds to meet the objectives of the program legislation. The four evaluation factors are in descending order of importance: (1) Technical, (2) Cost and (3) Past Performance.

Add:

The Government will accept the offer(s) that is (are) considered the most advantageous to the Government taking into account the best use of available funds to meet the objectives of the program legislation. The three evaluation factors are in descending order of importance: (1) Technical, (2) Cost and (3) Past Performance.

All other information provided in the RFA remains unchanged. The following is the original RFA posted April 12, 2006. The application due date remains unchanged, May 15, 2006.

***Federal Grant Opportunity***

***Request for Applications (RFA)***

***Executive Summary***

Federal Agency Name: U.S. Department of Transportation  
Federal Highway Administration  
Office of Acquisition Management  
400 Seventh Street, SW, Room 4410  
Washington, DC 20590  
Attn: Carl Rodriguez, HAAM-40F

Funding Opportunity Title: ***“Work Zone Safety Grants”***

Announcement Type: This is the initial announcement of this funding opportunity.

Funding Opportunity Number: ***RFA Number DTFH61-06-RA-00010***

Catalog of Federal Domestic Assistance (CFDA) Number: 20.200

Dates: RFA Issue Date is April 12, 2006.  
Application Due Date is May 15, 2006.

Direct Questions to: Carl Rodriguez, (202) 366-4240,  
[Carl.Rodriguez@fhwa.dot.gov](mailto:Carl.Rodriguez@fhwa.dot.gov)

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## **Section I. Funding Opportunity Description**

### **A. STATEMENT OF PURPOSE**

The Federal Highway Administration (FHWA) hereby requests applications for assistance to result in the award of Work Zone Safety Grants agreements.

### **B. LEGISLATIVE AUTHORITY**

The SAFETEA-LU Section 1409(a) of Public Law 109-59, authorizes “... a work zone safety grant program under which the Secretary may make grants to nonprofit organizations and not-for-profit organizations to provide training to prevent or reduce highway work zone injuries and fatalities.” The Grants may be used to (1) provide training for construction craft workers on the prevention of injuries and fatalities in highway and road construction; (2) develop guidelines for the prevention of highway work zone injuries and fatalities; and (3) conduct training for State and local government transportation agencies and other groups implementing guidelines for the prevention of highway work zone injuries and fatalities.

### **C. BACKGROUND**

Work zones remain a dangerous element of the transportation network, representing over 1000 fatalities annually (1068 for 2004). The work zone related injuries and fatalities involved motorists traveling through the work zone, as well as workers working on roadway construction/maintenance/utility projects. The trends of growing traffic, increased road construction, and public frustration with work zones have contributed to the growing intensity of work zone safety impacts on workers and traveling public. The impacts call for urgent need for guidance and training for work zone workers, publics, and transportation agencies and groups towards prevention of highway work zone injuries and fatalities.

FHWA has been working closely with its stakeholders on work zone safety improvement. Efforts include the development of the Work Zone Safety and Mobility Final Rule and implementation guidelines, work zone training for law enforcement personnel, Work Zone Safety for Young Drivers training material, and other training materials and work zone products. In addition, FHWA funded the establishment of the National Work Zone Safety Information Clearinghouse, and has been sponsoring and participating in the National Work Zone Awareness Week. FHWA will continue collaborative efforts for work zone safety improvement.

#### D. OBJECTIVES

The objective of the Work Zone Safety Grant program is to provide assistance for highway work zone safety training and guideline development towards the improvement of highway work zone safety.

#### E. STATEMENT OF WORK

Work Zone Safety Grant Recipients shall perform tasks within the following work areas:

1. Highway Work Zone Worker Safety Training;
2. Highway Work Zone Safety Guidelines Development; and
3. Highway Work Zone Safety Guidelines Training.

Note: Applicants may propose to perform activities under one, two or three work areas. General descriptions of each of the three work areas are presented below.

#### **AREA 1. Highway Work Zone Worker Safety Training**

There have been many highway work zone worker safety training programs sponsored by organizations and government agencies. The Work Zone Safety Grants will provide much-needed funding for the continuation and expansion of existing training programs, and for the development of new training programs. The objective for this area is to award funding to qualified applicants to conduct training nationally for a wide range of work zone worker populations on the prevention of injuries and fatalities in highway and roadway work zones. The recipient shall:

- Establish national level training program(s) that will provide safety training for one or more of the worker groups listed below. The training program should cover multiple regions/States. Activities for this task may include, but are not limited to, identifying gaps and needs, selecting/developing training curriculums and materials, and recruiting trainees. The trainees should include workers and employers of private sector, and workers and supervisors of public agencies.
- Implement and conduct the worker safety training program, **upon review and approval by the FHWA.**
- Develop and carry out an outreach plan for the training course(s).
- Develop a training evaluation plan and conduct evaluation of effectiveness of the training offered.

Please note that all the training, outreach/recruiting, and evaluation materials and plans produced from the above will be reviewed and approved by FHWA prior to proceeding.

The FHWA anticipates that the grants be used to provide training for the following highway work zone worker groups on elimination of major occupational safety and health hazards posed to work zone workers for injuries, fatalities, and health problems:

1. Safety training for “craft” workers and other related disciplines involved in highway and road survey, construction, and maintenance activities;
2. Safety training for work zone traffic control workers, including those who set up traffic control and worker protection devices and those who direct traffic in a work zone;
3. Safety training for utility workers who perform utility work activities that result in partial or full closure of a roadway;
4. Safety training for highway work zone law enforcement personnel and responders to work zone incidents.

**NOTE:** Applicants may propose to address single or multiple subject worker groups.

## **AREA 2. The Highway Work Zone Safety Guidelines Development**

Many rules/regulations, policies, and standards for work zone safety and operations have been issued by regulatory agencies as efforts to improve safety in highway work zones. Agencies and groups often face tough tasks to implement and comply with those rules and standards. The objective of this Area 2 is to develop guidelines that will assist State and local government transportation agencies and other groups achieve the prevention and reduction of work zone injuries and fatalities by implementing and attaining compliance with work zone safety and operations rules/regulations, policies, and standards.

The Recipient shall develop guidelines on a national scale ready to be adapted/customized to a State or local application. The Recipient may develop guidelines in a format of best practices, handbook, and/or recommended processes and procedures, etc. Guidelines should address work zone safety and operations issues and practices including, but not limited to, the following highway and road construction strategies: accelerated construction, full roadway closure and lane closure, night work/off-peak work for highway construction, maintenance, and utility projects. In addition, the guideline or set of guidelines developed for each of the strategies should cover all elements of a construction project including, but not limited to, work zone planning and programming, work zone design and construction, work zone safety design and management, work zone impact assessment and mitigation, work zone law enforcement, and work zone public information and outreach.

The Recipient shall perform the following tasks as a minimum:

- Identify Federal, State, and local work zone regulations and policies, as well as available guidelines
- Identify and assess gaps and needs for work zone safety guidelines
- Identify intended users/audience for the developed guideline(s)
- Develop guidelines according to the needs identified, which will assist agencies and groups towards the prevention and reduction of work zone injuries and fatalities

- Develop an outreach plan and materials to promote the use of developed guidelines
- Develop a training plan and materials for the training on implementing the developed guidelines
- Develop an evaluation plan for evaluating the effectiveness of developed guidelines and training activities

**Note:** The Recipient shall produce deliverable documentation to be submitted to the FHWA for review and approval.

### **AREA 3. Highway Work Zone Safety Guidelines Training**

The objective of this area is to provide training to State and local transportation agencies and other transportation groups/organizations on implementing work zone safety guidelines and to promote best practices to prevent work zone injuries and fatalities. The Recipient shall focus on training for implementing existing Federal and/or State regulations, policies, standards, and guidelines for highway work zone safety and mobility improvement practices such as nighttime work, work zone full closure, positive protection, variable speed limits, work zone road safety audits, ITS uses in work zones, pedestrian accommodation, work zone impact analysis, work zone performance measures, work zone law enforcement, and work zone public information and outreach.

The Recipient may use or modify existing guideline training materials or develop new training materials, and shall perform the following tasks as a minimum:

- Establish national work zone safety guideline training program(s) by identifying and assessing gaps and needs, selecting/developing training curriculums and materials, as well as identifying and recruiting trainees.
- Implement the training program(s) to conduct work zone safety guideline training.
- Develop and carry out an outreach plan for the training activities and course(s).
- Develop a training evaluation plan and conduct evaluation of the effectiveness of the training offered.

**Note:** The Recipient shall submit all outreach and evaluation materials and plans to the FHWA for review and approval prior to proceeding.

### **Section 508**

All electronic documents prepared under this agreement must meet the requirements of Section 508 of the Rehabilitation Act of 1973, as amended. The act requires that all electronic products prepared for the Federal Government be accessible to persons with disabilities, including those with vision, hearing, cognitive, and mobility impairments. View [Section 508 of the Rehabilitation Act \(http://www.access-board.gov/508/508standards.htm - PART 1194\)](http://www.access-board.gov/508/508standards.htm) and the [Federal IT Accessibility Initiative Home Page \(http://section508.gov/\)](http://section508.gov/) for detailed information. The following

paragraphs summarize the requirements for preparing FHWA reports in conformance with Section 508 for eventual posting by FHWA to an FHWA-sponsored website.

a. Electronic documents with images

Provide a text equivalent for every non-text element (including photographs, charts and equations) in all publications prepared in electronic format. Use descriptions such as “alt” and “longdesc” for all non-text images or place them in element content. For all documents prepared, vendors must prepare one standard HTML format as described in this statement of work AND one text format that includes descriptions for all non-text images. “Text equivalent” means text sufficient to reasonably describe the image. Images that are merely decorative require only a very brief “text equivalent” description. However, images that convey information that is important to the content of the report require text sufficient to reasonably describe that image and its purpose within the context of the report.

b. Electronic documents with complex charts or data tables

When preparing tables that are heavily designed, prepare adequate alternate information so that assistive technologies can read them out. Identify row and column headers for data tables. Provide the information in a non-linear form. Markups shall be used to associate data cells and header cells for data tables that have two or more logical levels of row and column headers.

c. Electronic documents with forms

When electronic forms are designed to be completed on-line, the form shall allow people using assistive technology to access the information, field elements, and functionality required for completion and submission of the form, including all directions and cues.

## SECTION II – AWARD INFORMATION

### A. FUNDING

FHWA anticipates Federal funding up to \$ 17,226,000 may be made available in total for these grant awards subject to the availability of funds based upon the following schedule:

Year 1	\$ 4,306,500
Option Year1	\$ 4,306,500
Option Year 2	\$ 4,306,500
Option Year 3	\$ 4,306,500
Total	\$ 17,226,000



**B. NUMBER OF AWARDS ANTICIPATED**

The FHWA anticipates making from 1 up to 5 awards from this RFA. The minimum amount of each award will be \$500,000 per year, and the final amount of each award may vary based on the proposed and approved activities of each award.

**C. PERIOD OF PERFORMANCE**

The period of performance for this (these) grant agreement(s) will be for one base year and up to three option years, commencing on the effective date stated on the agreement. The FHWA may unilaterally elect to extend the term of the agreement for the option period specified under funding above. A review will be conducted annually and the Recipient will be given a preliminary notice 60 days prior to the completion date of the agreement indicating whether FHWA intends to exercise the option period under the agreement. The preliminary notice does not commit FHWA to an extension. The maximum total duration of this agreement, including the exercise of the option periods, is 48 months.

**The U.S. DOT anticipates the effective date of this agreement will be on or about August 1, 2006.**

**D. TYPE OF AWARD**

FHWA intends to award Grant Agreements as a result of this RFA.

**E. DEGREE OF FEDERAL INVOLVEMENT**

FHWA anticipates Federal involvement between FHWA and the Recipient during the course of this project. FHWA anticipates the Federal involvement will include:

- Technical assistance and guidance;
- Close monitoring during performance;
- Review and approval of deliverable materials;
- Involvement in technical decisions; and
- Participation in status meetings including kick off meeting and annual budget reviews.

### SECTION III. ELIGIBILITY INFORMATION

#### A. Eligible Applicants

**Competition is restricted to nonprofit and not-for-profit organizations for the prime recipient(s). State and local Governments are not eligible for this award as primary recipients but are eligible as sub-awardees/subcontractors.** Applicants must demonstrate that they are a nonprofit or a not-for-profit organization. There is no limitation on the number of subcontractors that each applicant may propose.

Note: Proposed sub-awardees/subcontractors are not subject to this eligibility requirement to be nonprofit or not –for –profit.

#### B. Cost Sharing or Matching

Applicants are required to contribute 20% of the project cost. The cost share can be satisfied with either cash or ‘in-kind’ contribution.

### SECTION IV – APPLICATION AND SUBMISSION INFORMATION

#### A. APPLICATION FORMS

Applicants shall complete all forms included in the Application Package for this RFA as contained at [www.grants.gov](http://www.grants.gov). Applicants shall submit the Application Package online at [www.grants.gov](http://www.grants.gov).

#### B. CONTENT AND FORM OF APPLICATION SUBMISSION

Applicants may submit an application for one, two or all three work AREAS (AREA 1. Highway Work Zone Worker Safety Training; AREA 2. The Highway Work Zone Safety Guidelines Development; Area 3. Highway Work Zone Safety Guidelines Training). Within each AREA, applicants may address multiple groups. Applicants must clearly specify the work AREA(s) for which they are applying.

##### 1. The application package shall consist of the following:

- SF424
- SF424A
- SF424B
- SFLLL
- Grants.gov Lobbying Form
- Attachments Form
  - 1) Technical Application\*-40 page limit
  - 2) Budget Application Detail\*-no page limit

Note: Applications under this RFA are not subject to the State review under E.O. 12372.

Submit your application in the following format.

### **Part I - Technical Application**

**NOTE: The Technical Application cannot exceed 40 pages double spaced.**

In the event an application exceeds the 40 –page limitation, the Government will evaluate only the first 40 pages of the proposal.

1. Proposals shall be prepared on 8½ x 11 inch paper except for foldouts used for charts, tables or figures, which shall not exceed 11 x 17 inches. Foldouts shall not be used for text, and shall count as two pages.
2. A page is defined as one side of an 8 ½ by 11 inch paper. Therefore, a piece of paper with printing on both sides is considered two pages.
3. Text shall be printed using a font size no less than 12 cpi.
4. Page margins shall be a minimum of 1 inch top, bottom and each side.
5. No cost/price data shall be included in Part I.

Technical applications must contain:

#### **1. TECHNICAL & MANAGEMENT APPROACH:**

The application shall include a program narrative statement that describes the technical and management approach. Describe in detail how you would proceed if awarded this agreement and how you propose to meet the program objectives, grant activities, and the anticipated outcomes.

Applicants shall propose a grant period of performance ranging from one to four years. Applicant's technical and management approach shall cover all years proposed. For those applicants who choose to submit multi-year applications, the approach for the option years may be high level in nature, i.e. may be less detailed than the base year approach.

- **AREA 1 Highway Work Zone Worker Safety Training.**

Include as a minimum: a description of the training materials that will be used or developed, the potential targeted trainees, the number of states/localities where the training will take place, a description of how the training will be conducted (classroom-based, on-site demonstration, web-cast, or combination of the above, etc.), and the total estimated number of training sessions that will be delivered. Present your overall plan to correspond with those activities or tasks described in work AREA 1, pages 4 and 5 of this RFA. For each activity, explain what will be done, who will do it, when it will be done, and the results of the activity, as well as a flowchart/timetable which summarizes the overall plan, including submittal of deliverables in draft and final format.

- **AREA 2 Highway Work Zone Safety Guidelines Development.**

Indicate specific targeted work zone safety issues that the proposed guideline(s) will address. Present your overall plan to correspond with those activities or tasks described in the work AREA 2, pages 5 and 6 of this RFA. For each activity, explain what will be done, who will do it, when it will be done, and the results of the activity, as well as a flowchart/timetable which summarizes the overall plan, including submittal of deliverables in draft and final format.

- **AREA 3 Highway Work Zone Safety Guidelines Training.**

Include as a minimum: a description of the training materials that will be used or developed, the potential targeted trainees, the number of states/localities where the training will take place, a description of how the training will be conducted (classroom-based, on-site demonstration, web-cast, or combination of the above, etc.), and the estimated number of training sessions that will be delivered. Also include the following additional information: the guidelines that will be used; the duration of training; the potential targeted agencies/groups that will be receiving the training; and “a timeframe,” and the expected locations for delivering the training. Present your overall plan to correspond with those activities or tasks described in work AREA 3, page 6 of this RFA. For each activity, explain what will be done, who will do it, when it will be done, and the results of the activity, as well as a flowchart/timetable which summarizes the overall plan, including submittal of deliverables in draft and final format.

## **2. STAFFING APPROACH:**

- Provide a program organizational chart identifying proposed staff members assigned to the project by work AREA. Include the title and a brief description of each position’s responsibilities, as well as the proposed level of effort and allocation of time for each position. Provide the level of effort for each position for each work AREA for each of the following periods as applicable:

- Base Year 1
  - Option Year 1
  - Option Year 2
  - Option Year 3
- 
- Provide brief resumes for the proposed Program Manager and other key personnel to include name, experience, education, and proposed role in project. (Note: resumes do count against the designated page limitations.)

### 3. **EXPERIENCE:**

For each work AREA proposed, provide a summary of the applicant's experience relevant to this project.

### 4. **PAST PERFORMANCE:**

Provide a minimum of three current (within the last five years) customers (commercial and/or Government) for projects involving similar or related services. Provide customer name, point of contact, title, contact information (Email or phone number), project title, project duration, project value, and how it relates to the program objectives of this RFA. The Government may contact the customer point of contact for verification and to obtain past performance information. Contact information must be accurate and current.

### 5. **EVIDENCE OF ENDORSEMENT**

Provide at least 2 letters of support on training and/or guideline development from agencies/groups that are potential recipients of the trainings and guidelines. The letters can be included as an attachment and will not be counted as part of the 40-page limit.

## **Part II - Budget Application**

**NOTE: There is no page limit on budget applications.**

Provide a separate detailed budget plan for each work AREA applied for (i.e. AREA 1 Highway Work Zone Worker Safety Training, AREA 2 Highway Work Zone Safety Guidelines Development, AREA 3 Highway Work Zone Safety Guidelines Training) by year and in summary form. The detailed budget plan will consist of the following:

1. Detailed spreadsheet and supporting information clearly delineating and supporting all estimated costs by AREA (per year and in summary form) as follows:

- Provide labor categories, labor hours or percentage of time, labor rates.
- Provide indirect rates and bases, include any audit information to support rates.
- Provide supporting information to justify estimates for Other Direct Costs such as equipment, travel, etc.
- Provide detail and support for cost share as part of overall project budget. Clearly delineate cost share match versus Federal share.

NOTE: Travel will be reimbursed at cost in accordance with the Federal Travel Regulations in effect at the time of travel.

2. If sub-recipients (lower-tiered organizations and/or individual consultants) will be used in carrying out this project, the following minimum information concerning such, should be furnished:
  - Name and address of the organization or consultant.
  - Description of the portion of work to be conducted by the organization or consultant.
  - Cost details for that portion of work.
  - Letter of commitment from sub-recipient.
3. The use of a Dun and Bradstreet (D&B) Data Universal Numbering System (DUNS) number is required on all applications for Federal grants or cooperative agreements. Please provide your organization's DUNS number in your budget application.
4. Evidence of non-profit or not-for-profit status, preferably from the Internal Revenue Service.
5. A statement to indicate whether your organization has previously completed an A-133 Single Audit and, if so, the date that the last A-133 Single Audit was completed.

#### C. SUBMISSION DATES AND TIMES

Applications must be received electronically through [www.Grants.gov](http://www.Grants.gov) by 4:15 p.m. EDT on May 15, 2006.

The deadline cited herein is the date and time by which the agency must receive the application.

Late applications will not be reviewed or considered unless the Agreement Officer (AO) determines it is in the Government's best interest to consider the late application.

D. FUNDING RESTRICTIONS

This award will not allow reimbursement of pre-award costs.

E. OTHER SUBMISSION REQUIREMENTS

FHWA uses [www.Grants.gov](http://www.Grants.gov) for receipt of all applications. Applicants must register with [www.Grants.gov](http://www.Grants.gov) and use the system to submit applications electronically. **Applicants are encouraged to register with Grants.gov in advance of the submission deadline.**

In the event of system problems or technical difficulties with the application submittal, applicants should contact the FHWA point of contact designated on page 1. If applicants are unable to use the [www.Grants.gov](http://www.Grants.gov) system due to technical difficulties, applicants must e-mail applications to the FHWA point of contact listed on page 1 no later than the application deadline cited above.

## SECTION V – APPLICATION REVIEW INFORMATION

A. EVALUATION CRITERIA

### Technical

FHWA will evaluate technical applications based on the following criteria listed in descending order of importance:

1. Technical merit of the application
  - a. Adequacy of the technical and management approach and likelihood of successful achievement of program objectives.
  - b. Demonstrated understanding of the needs and challenges relating to the program.
2. Organization's qualifications to perform the tasks
  - a. Qualifications of the Program Manager and other team members—knowledge and relevant experience in completing the proposed tasks.
  - b. Organization's experience relevant to the proposed tasks.

### Past Performance

The Government will evaluate the relevant merits of each applicant's past performance based on its reputation and record with its current and/or former customers with respect to quality, timeliness and cost control. Past performance will be reviewed to assure that the applicant has relevant and successful experience and will be considered in the ultimate award decision, but will not be rated. In evaluating past performance, the Government may consider both written information provided in the application, as well as any other information available to the Government through outside sources.

**Cost**

In addition to the criteria listed above, relative cost will be considered in the ultimate award decision. The budget application will be analyzed to assess cost reasonableness and conformance to applicable principles.

**B. REVIEW AND SELECTION PROCESS**

The Government will accept the offer(s) that is (are) considered the most advantageous to the Government taking into account the best use of available funds to meet the objectives of the program legislation. The four evaluation factors are in descending order of importance: (1) Technical, (2) Cost and (3) Past Performance.

The Agreement Officer is the official responsible for final award selections. The Government will select for award the applicant(s) that, when taken into consideration as a group, best meet(s) the objectives of the program legislation.

The Government is not obligated to make any award as a result of this announcement.

**C. ANTICIPATED ANNOUNCEMENT AND AWARD DATES**

FHWA anticipates making awards on or about August 01, 2006.

**D. AWARD NOTICES**

If your application is selected for award, you will be notified and sent an award document for signature. Applicants not selected for award will be notified in writing by FHWA.

Only the Agreement Officer can commit the Government. The award document, signed by the Agreement Officer, is the authorizing document.

Notice that an organization has been selected as a Recipient does not constitute approval of the application as submitted. Before the actual award, FHWA will enter into negotiations concerning such items as program components, staffing and funding levels, and administrative systems. If the negotiations do not result in an acceptable submittal, the FHWA reserves the right to terminate the negotiation and decline to fund the applicant.



## SECTION VI – AWARD ADMINISTRATION INFORMATION

### A. ADMINISTRATIVE AND NATIONAL POLICY REQUIREMENTS

#### 1. GOVERNING REGULATIONS

Performance under this grant agreement shall be governed by and in compliance with the following requirements as applicable to the type of organization of the Recipient and any applicable sub-recipients:

- “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and other Non-profit Organizations (49 CFR 19)”, [*located at:*  
<http://www.dot.gov/ost/m60/grant/49cfr19.htm>];
- 2 CFR Part 220 (OMB Circular A-21), “Cost Principles for Educational Institutions” [*located at:*  
<http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/05-16648.htm>];
- 2 CFR Part 230 (OMB Circular A-122), “Cost Principles for Non-Profit Institutions” [*located at:*  
<http://a257.g.akamaitech.net/7/257/2422/01jan20051800/edocket.access.gpo.gov/2005/05-16650.htm>]
- OMB Circular A-133, “Audits of States, Local Governments, and Non-Profits” [<http://www.whitehouse.gov/omb/circulars/a133/a133.html>];
- 2 CFR Part 215 (OMB Circular A-110), “Uniform Administrative Requirements for Grants and Agreements With Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations” [*located at:*  
[http://www.access.gpo.gov/nara/cfr/waisidx\\_05/2cfr215\\_05.html](http://www.access.gpo.gov/nara/cfr/waisidx_05/2cfr215_05.html)]; and
- Any other applicable Federal regulation or statute.

#### 2. RESPONSIBILITIES OF THE RECIPIENT

The Recipient shall provide overall program management. Specifically, the Recipient shall be responsible for the following, as a minimum:

- Performing the Statement of Work as described in Section I, Funding Opportunity Description.
- Coordinating and managing work, including issuing and managing subcontracts/sub awards and consulting arrangements, as necessary.

- Submitting all required reports including Quarterly Progress Reports and Annual Budget Reviews. (See Paragraph B of this Section below, entitled Reporting.)
- Meeting with the FHWA Agreement Officer's Technical Representative (AOTR) as necessary.
- Participating in a kick-off meeting with the AO and/or the AOTR to discuss agreement expectations and procedures.
- Participating in Annual Budget Review meetings with the AO and/or AOTR.

### 3. TRAVEL AND PER DIEM

Travel and per diem authorized under this grant agreement shall be reimbursed in accordance with Federal Travel Regulations in effect at the time of travel. In addition, all non-domestic travel shall be approved by the AO prior to incurring costs. Travel requirements under this grant agreement shall be met using the most economical form of transportation available. If economy class transportation is not available, the request for payment vouchers must be submitted with justification for use of higher class travel indicating dates, times, and flight numbers.

### 4. AMENDMENTS

Amendments to this grant agreement may only be made in writing, signed by both parties for bilateral actions and by the AO for unilateral actions, and specifically referred to as an amendment to this grant agreement.

### 5. AGREEMENT OFFICER'S TECHNICAL REPRESENTATIVE (AOTR)

The AO has designated \_\_\_\_\_TBD\_\_\_\_\_ as Technical Representative to assist in monitoring the work under this agreement. The AOTR will oversee the technical administration of this agreement and act as technical liaison with the performing organization. The AOTR is not authorized to change the scope of work or specifications as stated in the agreement, to make any commitments or otherwise obligate the Government or authorize any changes which affect the agreement funding, delivery schedule, period of performance or other terms or conditions.

**The AO is the only individual who can legally commit or obligate the Government for the expenditure of public funds. The technical administration of this agreement shall not be construed to authorize the revision of the terms and conditions of performance. The Agreement Officer shall authorize any such revision in writing.**

## 6. OBLIGATION CEILING RATIO

Pursuant to section 1102 of SAFETEA-LU, the FHWA is required to annually redistribute a portion of allocated program authorization. Funds available for subsequent years of this agreement shall be adjusted for each fiscal year, which may increase or decrease the total estimated funding available.

## 7. INDIRECT COSTS

Indirect costs are allowable under this agreement as follows:

<i><b>Indirect Rate Type</b></i>	<i><b>Rate (%)</b></i>	<i><b>Base</b></i>
<i>(Information to be filled in at award)</i>		

In the event the recipient determines the need to adjust the above listed rates, the Recipient shall notify the FHWA of the planned adjustment and provide rationale for such adjustment. In the event such adjustment rates have not been audited by a Federal agency, the adjustment of rates must be pre-approved in writing by the Agreement Officer.

This Indirect Cost provision does not operate to waive the limitations on Federal funding provided in this document. The Recipient's audited final indirect costs are allowable only insofar as they do not cause the Recipient to exceed the total amount of Federal funds obligated to the agreement.

## 8. DATA RIGHTS

The Recipient shall make available to the Government copies of all work developed in performance of this grant Agreement, including but not limited to software and data. The Government and others acting on its behalf shall have unlimited rights to obtain, reproduce, publish or otherwise use the data developed in the performance of this grant agreement pursuant to 49 CFR Part 19.36.

## 9. PAYMENT

The Recipient may request advances or reimbursement of costs incurred in the performance hereof as are allowable under the applicable cost provisions [see 49 CFR Part 19.27 and 2 CFR Part 215] not-to-exceed the funds currently available as stated in this cooperative agreement. The Recipient shall submit an original and two copies of the SF 270, Request for Advance or Reimbursement, no more frequently than monthly, to the AO address, and one additional copy to the AOTR address.

Advance Payments: Recipients may be paid in advance, provided they maintain or demonstrate the willingness to maintain the following in accordance with 49 CFR

Part 19: (1) written procedures that minimize the time elapsing between the transfer of funds and disbursement by the Recipient, and (2) financial management systems that meet the standards for fund control and accountability. When these items are not met, reimbursement will be the method for payment.

Payments by Reimbursement: When requesting reimbursement of costs incurred, the Recipient shall submit supporting cost detail with the SF 270 to clearly document costs incurred. Cost detail includes a detailed breakout of all costs incurred including direct labor, indirect costs, other direct costs, travel, etc.

The Agreement Specialist and the AO reserve the right to withhold processing requests for reimbursement until sufficient detail is received. In addition, reimbursement will not be made without AOTR review and approval to ensure that progress on the Agreement is sufficient to substantiate payment. After AOTR approval, the Agreement Specialist will certify and forward the advance or request for reimbursement to the payment office. *Note: Standard Forms may be located at <http://fhwa.dot.gov/aaa/hamhome.htm>.*

#### 10. ACKNOWLEDGEMENT OF SUPPORT AND DISCLAIMER

An acknowledgment of FHWA support and a disclaimer must appear in any publication of any material, whether copyrighted or not, based on or developed under the grant agreement, in the following terms:

“This material is based upon work supported by the Federal Highway Administration under grant agreement No. DTFH61-06-(to be filled in)”.

All materials must also contain the following:

"Any opinions, findings, and conclusions or recommendations expressed in this publication are those of the Author(s) and do not necessarily reflect the view of the Federal Highway Administration."

#### 11. SITE VISITS

The Federal Government, through its authorized representatives, has the right, at all reasonable times, to make site visits to review project accomplishments and management control systems and to provide such technical assistance as may be required. If any site visit is made by the Federal Government on the premises of the Performing Organization or a sub-recipient under this grant agreement, the Performing Organization shall provide and shall require their sub-recipients to provide all reasonable facilities and assistance for the safety and convenience of the Government representative in the performance of their duties. All site visits and evaluations shall be performed in such a manner as will not unduly delay work.

## 12. TERMINATION AND SUSPENSION

The Government may terminate this agreement in whole or in part in accordance with 49 CFR Part 19.60.

## 13. BUDGET REVISION/REALLOCATION OF AMOUNTS

The Recipient is required to report deviations from budget and program plans, and request prior approval for budget and program plan revisions in accordance with 49 CFR Part 19.25.

Note: The Recipient must obtain prior written approval from the Agreement Officer to transfer amounts budgeted for direct cost categories when the cumulative value of such transfers will exceed 10% of the value of Federal share of this agreement. When requesting such approval, a letter request suffices.

## 14. FINANCIAL MANAGEMENT SYSTEM

By signing this agreement, the Recipient verifies that it has, or will implement, a financial management system adequate for monitoring the accumulation of costs and that it complies with the financial management system requirements of 49 CFR Part 19. The Recipient's failure to comply with these requirements may result in agreement termination.

## 15. ALLOWABILITY OF COSTS

Allowable costs will be determined in accordance with the applicable Federal cost principles, e.g., Non-Profit Organizations-2 CFR Part 230; Educational Institutions- 2 CFR Part 220.

## 16. AVAILABLE FUNDING

The total not-to-exceed amount of Federal funding that may be provided under this grant agreement is \$TBD for the entire period of performance, subject to the limitations shown below:

- (1) Currently, Federal funds in the amount of \$\_\_\_\_\_ (to be filled in at award), are obligated to this agreement.
- (2) Subject to availability of funds, and an executed document by the Agreement Officer, \$\_\_\_\_\_ (to be filled in at award) may be obligated to this agreement.
- (3) The government's liability to make payments to the Recipient is limited to those funds obligated under this agreement as indicated above and any subsequent amendments.

#### 17. CENTRAL CONTRACTOR REGISTRY (CCR)

The Recipient must be registered in the CCR in order to receive payments under this agreement. Use of the CCR is to provide one location for applicants and Recipients to change information about their organization and enter information on where government payments should be made. The registry will enable Recipients to make a change in one place and one time for all Federal agencies to use. Information for registering in the CCR and online documents can be found at [www.ccr.gov](http://www.ccr.gov).

#### 18. KEY PERSONNEL

The Recipient shall request prior written approval from the AO for any change in key personnel specified in the award.

#### 19. PROGRAM INCOME

Program Income earned during the project period shall be retained by the Recipient and added to funds committed to the project by the Federal awarding agency and the Recipient, and used to further eligible project or program objectives.

#### 20. SUBAWARDS

Unless described in the application and funded in the approved award, the Recipient shall obtain prior written approval from the AO for the subrecipient, transfer, or contracting out of any work under this award. This provision does not apply to the purchase of supplies, material, equipment, or general support services.

#### 21. DEBARMENT AND SUSPENSION REQUIREMENTS

The Recipient shall comply with Subpart C of 49 CFR Part 29, Government Debarment and Suspension (Nonprocurement). Further, the Recipient shall flow down this requirement to applicable sub-awards by including a similar term or condition in lower-tier covered transactions. See 49 CFR Part 29 for details of the requirement. (Note: 49 CFR Part 29 is available online at <http://www.dot.gov/ost/m60/grant/regs.htm>).

#### 22. DRUG FREE WORKPLACE

The Recipient shall comply with Subpart B of 49 CFR Part 32, Government wide Requirements for Drug-Free Workplace (Financial Assistance). See 49 CFR Part 32 for details of the requirement. (Note: 49 CFR Part 32 is available online at <http://www.dot.gov/ost/m60/grant/regs.htm>).

## B. REPORTING

### 1. ADDRESSES FOR SUBMITTAL OF REPORTS AND DOCUMENTS

The Recipient shall submit all required reports and documents, under transmittal letter referencing the grant agreement number, as follows:

Submit one hard copy to the Agreement Specialist at the following address:

Federal Highway Administration  
Office of Acquisition Management  
400 Seventh Street, SW, Room 4410  
Washington, DC 20590

Attention: (to be filled in at award)

Submit two hard copies and one electronic copy to the AOTR at the following address:

Department of Transportation  
Federal Highway Administration  
400 Seventh Street, SW, Room 3419  
Washington, DC 20590

Attention: (to be filled in at award)

### 1. QUARTERLY PROGRESS REPORT

The Recipient shall submit two copies of a letter-type progress report to the AOTR and one copy to the Agreement Specialist on or before the 30th of the month following the calendar quarter being reported. Calendar quarters are as follows: (1) January-March; (2) April-June; (3) July-September; and (4) October-December. Each report shall contain concise statements covering the research activities relevant to the study, including:

- (a) A clear and complete account of the work performed each quarter.
- (b) An outline of the work to be accomplished during the next report period.
- (c) A description of any problem encountered or anticipated that will affect the completion of the work within the time and fiscal constraints as set forth in the grant agreement, together with recommended solutions to such problems; or, a statement that no problems were encountered.
- (d) A section addressing how the results of the work performed supports one or more of the FHWA and Department of Transportation (DOT) strategic goals of safety,

mobility, global connectivity, environmental stewardship, security, and organizational excellence.

- (e) A tabulation of the current and cumulative costs expended by quarter versus budgeted costs, including cost share.
- (f) SF269 or SF269A, Financial Status Report.
- (g) If advance payments are used, SF272, Report of Federal Cash Transactions.

### 3. ANNUAL BUDGET REVIEW AND PROGRAM PLAN

The Recipient shall submit two copies of the Annual Budget Review and Program Plan to the AOTR and one copy to the Agreement Specialist 60 days prior to the end of each agreement year. The Annual Budget Review and Program Plan shall provide a detailed schedule of activities, estimate of specific performance objectives, include forecasted expenditures, and schedule of milestones for the upcoming agreement year. If there are no proposed deviations from the Approved Project Budget, the Annual Budget Review shall contain a statement stating such. The Recipient will meet with FHWA to discuss the Annual Budget Review and Program Plan. Work proposed under the Annual Budget Review and Program Plan shall not commence until AO written approval is received.

### 4. DELIVERABLES

Deliverable

(to be inserted at award)

To be Completed On or Before:

## SECTION VII - AGENCY CONTACT

Address any questions to:

Carl Rodriguez  
Agreement Specialist  
Federal Highway Administration  
Office of Acquisition Management  
400 Seventh Street SW, Room 4410  
Washington, DC 20590

Carl.Rodriguez@fhwa.dot.gov; (202) 366-4240

Secondary point of contact is Sarah Tarpgaard, Agreement Officer, (202) 366-5750, Email Sarah.Tarpgaard@fhwa.dot.gov.